

Entered - 04/26/02 - sb
CL02L0299 - DIANNE C. MITCHELL

02- R -0989

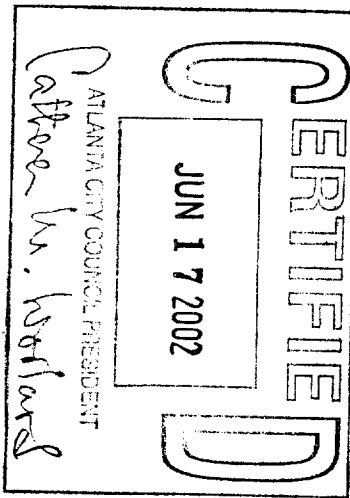
CLAIM OF: **PETER ZWIEG,**
through his insurance carrier,
State Farm Insurance Companies
P. O. Box 10003
Duluth, Georgia 30096-9403

For damages alleged to have been sustained as a result of a vehicular
accident on January 14, 2002 at an undisclosed location.

THIS ADVERSED REPORT IS APPROVED

BY:

Robert N. Godfrey
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY



ADVERSED BY JUN 17 2002

ADVERSE REPORT

COMM: *Public Safety*

DATE: *6/17/02*

CHAIR: *Clara H. Hester*

Walter A. Hester

Walter A. Hester

Walter A. Hester

Walter A. Hester



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

June 28, 2002

State Farm Insurance Companies
Insurance Companies
Attn: Dwight Jones
P.O. Box 10003
Duluth, GA 30096-9403

02-R-0989

RE: Peter Zwieg

Dear Mr. Jones:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on June 17, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0299

Date: May 28, 2002

Claimant /Victim PETER ZWIEG
BY: (Ins. Co.) State Farm Insurance Companies
Address: P. O. Box 10003, Duluth, Georgia 30096-9403
Subrogation: Claim for Property damage \$ Not Stated Bodily Injury \$
Date of Notice: 04/24/02 Method: Written, proper Improper
Conforms to Notice: O.C.G.A. §36-33-5 Ante Litem (6 Mo.)
Date of Occurrence 01/14/02 Place: Not Stated
Department Unknown Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant, through his insurance company, has asserted a claim for damages due to a vehicular accident. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5. Furthermore, the claimant's insurance carrier has also failed to furnish information necessary to substantiate their allegations.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

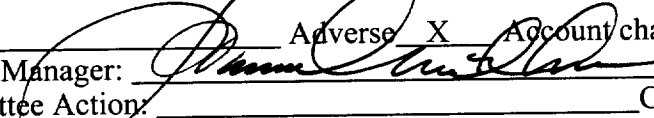
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice X More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager:  Concur/date 05-28-02
Committee Action: Council Action

RCS# 3806
6/17/02
2:59 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-11: Except Certain City Utility
 Items
 ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y Smith	Y Archibong	Y Moore	Y Mitchell	<u>ITEM (S) REMOVED FROM CONSENT AGENDA</u>
Y Starnes	Y Fauver	Y Martin	Y Norwood	
Y Young	Y Shook	Y Maddox	Y Willis	
Y Winslow	Y Muller	Y Boazman	NV Woolard	
				02-O-0164 02-R-1009
				02-O-0901 02-R-1010
				02-R-0972 02-R-1011
				02-R-1004 02-R-1012
				02-R-1005 02-R-1023
				02-R-1006 02-R-1024
				02-R-1007 02-R-1025
				02-R-1008 02-R-1026
				02-R-1071

CONSENT I

06/17/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0973
2. 02-O-1036
3. 02-O-0908
4. 02-O-0909
5. 02-O-0956
6. 02-O-1029
7. 02-O-1043
8. 02-R-1000
9. 02-R-1001
10. 02-R-1002
11. 02-R-1003
12. 02-R-1016
13. 02-R-1033
14. 02-R-0676
15. 02-R-1018
16. 02-R-1019
17. 02-R-1069
18. 02-R-1070
19. 02-R-1030
20. 02-R-0978
21. 02-R-0979
22. 02-R-0980
23. 02-R-0981
24. 02-R-0982
25. 02-R-0983
26. 02-R-0984
27. 02-R-0985
28. 02-R-0986

**ITEMS ADVERSED ON
CONSENT AGENDA**

29. 02-R-0987
30. 02-R-0988
31. 02-R-0989
32. 02-R-0990
33. 02-R-0991
34. 02-R-0992
35. 02-R-0993
36. 02-R-0994
37. 02-R-0995
38. 02-R-0996
39. 02-R-0997
40. 02-R-0998
41. 02-R-0999